IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 133 OF 2006

Rajesh Narhari Kamble. ...Applicant
V/s.
The State of Maharashtra. ...Respondent

Mr.K.S. Patil for Applicant.
Ms.S.D. Shinde, APP for the State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 30, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant is arrested in connection with an offence punishable under Sections 302, 182, 506(II) of the IPC. It is alleged by the prosecution that the applicant who was sitting next to the deceased in a motor vehicle, suddenly tried to take charge of the vehicle and in that process, the accident took place and the car turned turtle and the deceased died. The said incident took place on 24th May, 2005. The FIR was lodged on 14th June, 2005. In the FIR, it is alleged that after the accident had taken place, the applicant

assaulted the deceased with an iron rod.

2. The chargesheet has been filed in the present case. In my view, this is a fit case for grant of bail. There is delay in recording the FIR. From the allegations which are made in the statement against the present applicant, it appears that the deceased died due to an accident which was caused because the applicant had forcibly tried to take control of the vehicle.

3. The applicant, under the circumstances, be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount. The applicant shall report to Khalapur Police Station once in a month.

4. The trial Court shall not be influenced by any observations made by this Court while deciding his application.

. The application is disposed of in the above terms.

(V.M. KANADE, J.)